REMARKS

Claims 1-36 and 38-54 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 103(a) Rejections:

The Examiner rejected claims 1-6, 8, 11, 14-17, 18-23, 25, 28, 31-43, 45, 48 and 51-54 under 35 U.S.C. § 103(a) as being unpatentable over Funk (U.S. Patent 5,721,779) in view of Gasparini et al. (U.S. Publication 2004/0168083) (hereinafter "Gasparini"), claims 7, 24 and 44 as being unpatentable over Funk and Gasparini in view of Hirsch (U.S. Patent 4,479,112), claims 9, 10, 26, 27, 46 and 47 as being unpatentable over Funk and Gasparini in view of Kelly (U.S. Patent 5,475,757), and claims 12, 13, 29, 30, 49 and 50 as being unpatentable over Funk and Gasparini. Applicant respectfully traverses these rejections for at least the following reasons.

Regarding claim 1, contrary to the Examiner's assertion, Funk in view of Gasparini fails to disclose, **wherein the user input is dependent on the machine-generated challenge such that the user input to transform the machine-generated challenge into the pass code is different for different machine-generated challenges.** The Examiner admits Funk does not disclose the limitations above and relies on Gasparini. The Examiner cites Gasparini, paragraph [0030]. These passages describe various methods in which a web site may authenticate a user, none of which include the limitations of claim 1. For example, paragraph [0030], lines 3-7 states, "This may be a user identifier and password, but may also be a mother's maiden name, or other information that had been previously collected from the user or another source and stored in database 224." The paragraph goes on to describe the random selection of questions (e.g., pets name) to ask the user with expected answers stored in a database. In an alternate embodiment, described in Gasparini, the user need only access the web page at a certain time, from a specific IP address without being authenticated at all. Applicant asserts that nowhere does Funk or Gasparini describe user input that **transforms** the

machine-generated challenge into the pass code. Instead, Gasparini simply describes randomly selecting questions that must be answered correctly by the user. Clearly, no transformation of the machine-generated challenge takes place in Gasparini.

Further, the challenge described in Gasparini is not machine generated. Instead, questions are randomly selected (e.g., mother's maiden name and pets name) from a list of questions generated by a human user and entered into the system.

The Examiner rejected claim 18 under the same rationale as claim 1. However, the scope of claim 1 and claim 18 differs. For example, claim 1 recites, **generating a response to the challenge from the user input received from the user input device, said response allowing the user to be validated against a stored record of the pass code**. Claim 18 includes no such limitations. Claim 1 also differs from claims 35 and claim 36 differs from claim 38 in a similar fashion. **Since the Examiner failed to address the differences between claims 1, 18, 35, 36 and 38 the Examiner has failed to state a *prima facie* rejection of the claims.**

Regarding claim 6, contrary to the Examiner's assertion, Funk in view of Gasparini fail to disclose, **wherein providing a user with a challenge comprises displaying the challenge to the user**. The Examiner cites Funk, Fig. 2, item 52, Fig. 3A – item 208, column 8, lines 9-11 and 30-34. These passages teach the existence of a terminal. The passages fail to disclose displaying the challenge to the user. For example, Funk column 8, lines 9-11 states, "In operation, the user can access the server by operating the terminal 20A." Applicant asserts a user accessing a terminal does not state or imply displaying the challenge to the user. Column 8, lines 30-34 states, "To respond to the challenge signal 26, the client generates a response signal 28 that represents the challenge signal 26 encrypted with the client's password, S. The processor element 20 generates the response signal 28 by operation of the selected one-way commutative function." Nowhere in this passage or anywhere else does Funk teach that the client (or any other system) displays the challenge to the user as required by the claim. In addition, as pointed out above, Gasparini fails to teach a machine-generated challenge and

therefore cannot be said to display a machine-generated challenge to the user. For the reasons described above, neither Gasparini nor Funk, taken in combination or separate, teach the limitations of claim 6.

Claims 23 and 43 include limitations similar to claim 6, and so the arguments presented above apply with equal force to these claims as well.

Regarding claim 8, contrary to the Examiner's assertion, Funk in view of Gasparini fails to disclose, **wherein the user input from the user-input device is received as a set of one or more modifications to be applied to the challenge so that it matches the pass code allocated to the user.** The Examiner cites Funk, column 4, lines 48-65. These passages teach a client system that encrypts a challenge signal with the password entered by a user. The result is a response signal that is transferred to a security system for authentication. Funk, column 4, lines 50-53 states, "The client can generate this response signal by employing the same one-way commutative function to encrypt the challenge signal, C, with one valid password." The password is simply a secret value known by the user. Column 3, lines 29-30 states, "Typically, the secret data value is a user password." Nowhere does Funk or Gasparini teach receiving user input from the user-input device as a set of one or more modifications to be applied to the challenge so that it matches the pass code allocated to the user. Instead, both Funk and Gasparini simply teach receiving a user's pass code.

Claims 25 and 45 include limitations similar to claim 8, and so the arguments presented above apply with equal force to these claims as well.

Regarding claim 11, Funk in view of Gasparini fails to disclose, **wherein said challenge has the same number of characters as the pass code allocated to the user.** The Examiner cites Funk, column 4, lines 26-48. These passages teach a function that generates a challenge signal. For example, column 4, lines 27-30 state, "In one example, the system encrypts the base number by operation of a one-way commutative function that includes an exponential function modulo a prime number." Applicant asserts that

nowhere does Funk or Gasparini teach the challenge has the same number of characters as the pass code allocated to the user.

Claims 28 and 48 include limitations similar to claim 11, and so the arguments presented above apply with equal force to these claims as well.

None of the other cited references overcome any of the above-noted deficiencies of Funk and Gasparini in regard to Applicant's claims.

Applicant also asserts that numerous other ones of the dependent claims recite further distinctions over the cited art. However, since the rejections have been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-74900/RCK.

Respectfully submitted,

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